

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re: **MARK D. SCHAEFFER**, aka : Chapter 13  
Mark Douglas Schaeffer, aka Mark Schaeffer, and : Case No. **18-10620-ref**  
**DANIELLE CHRISTA SCHAEFFER**, aka :  
Danielle C. Schaeffer, aka Danielle Schaeffer, :  
Debtor(s). :

**RESPONSE TO TRUSTEE'S MOTION TO DISMISS**

AND NOW COMES Debtor(s) **MARK D. SCHAEFFER** and **DANIELLE CHRISTA SCHAEFFER**, by and through their attorneys, NEWMAN, WILLIAMS, MISHKIN, CORVELEYN, WOLFE & FARERI, P.C., and in Response to the Trustee's Motion to Dismiss avers:

1. Denied. Since the Trustee's Motion to Dismiss was filed, William C. Miller, Esquire, has been assigned as the Trustee in the above-captioned case.
2. Admitted.
3. Admitted in part and Denied in part.
  - a. Denied. Debtors made their initial Plan payments via wage attachment, which had to be discontinued when Danielle Christa Schaeffer ("Joint Debtor") lost her highest nursing certification and primary source of income.
    - b. Admitted. Debtors intend to file a First Amended Chapter 13 Plan, Amended Means Test, and Supplemental Schedules I and J in the very near future to reflect their new income and expense levels. Debtors, through Counsel, had indicated to the Chapter 13 Trustee that this would not be possible until at least July of 2018. All have been prepared for review and execution by Debtors.
4. Denied to the extent the averments of paragraph 4 are other than a statement or conclusion of law or misplaced request for relief that does not require a response.

WHEREFORE, Debtor(s) **MARK D. SCHAEFFER** and **DANIELLE CHRISTA SCHAEFFER** respectfully pray this Honorable Court for an Order than the Trustee's Motion to Dismiss be Denied, and for such other and further relief as the Honorable Court deems just and appropriate.

NEWMAN, WILLIAMS, MISHKIN,  
CORVELEYN, WOLFE & FARERI, P.C.

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